



Section 8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|------------------|--------------------------|---|-------------------------------|
| Applicant: | Escobosa et al. |) | |
| | |) | |
| Application No.: | 09/615,473 |) | Group Art Unit: 2735 |
| | |) | |
| Filing Date: | July 13, 2000 |) | Atty. Docket No.: 81230.56US1 |
| | |) | |
| Title: | CUSTOMIZABLE AND |) | |
| | UPGRADABLE DEVICES AND |) | |
| | METHODS RELATED THERETO) |) | |

RESPONSE TO NOTICE TO FILE MISSING PARTS (37 CFR 1.53(b))

Box MISSING PARTS
Assistant Commissioner for Patents
Washington, DC 20231

In response to the Notice to File Missing Parts of Nonprovisional Application mailed on October 26, 2000, the Commissioner is hereby authorized to charge Deposit Account Number 011,156 for the statutory basic filing fee, the additional claims fee and the surcharge as set forth in 37 CFR 1.16(e) for a total of \$1,565.00 since Applicant claims small entity status. The Commissioner is also authorized to charge any additional fees or credit overpayment to the deposit account.

Also enclosed herewith is a Small Entity Statement and the Fee Transmittal indicating the number of claims and pertinent fees.

In reviewing the Filing Receipt for this application we have noted that the total number of claims is indicated as "52". Please note that the correct number of total claims is "53". A copy of the Filing Receipt with the correction noted thereon is also enclosed herewith.



Respectfully submitted,

Date: November 20, 2000

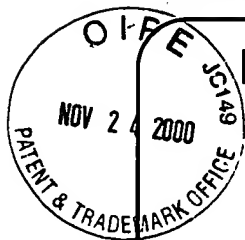
By: _____

John E. Hyatt, Reg. No. 43,421
Alzheimer & Gray
10 S. Wacker Dr. - Suite 4000
Chicago, IL 60606
(312) 715-4000

Certificate of Mailing: I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Box MISSING PARTS, Assistant Commissioner for Patents, Washington, DC 20231 on this 21st day of November, 2000.

Lisa Lyle

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

Complete if Known

| | |
|----------------------|-----------------|
| Application Number | 09/615,473 |
| Filing Date | July 13, 2000 |
| First Named Inventor | Marcus Escobosa |
| Examiner Name | not assigned |
| Group / Art Unit | 2735 |
| Attorney Docket No. | 81230.56US1 |

TOTAL AMOUNT OF PAYMENT (\$) 1565

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit
Account
Number

011,156

Deposit
Account
Name

Alzheimer & Gray

- ☒ Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17
☒ Applicant claims small entity status.
See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money
Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
|----------------------|-----------------------|----------------------|-----------------------|------------------------|----------|
| 101 | 710 | 201 | 355 | Utility filing fee | 345 |
| 106 | 320 | 206 | 160 | Design filing fee | |
| 107 | 490 | 207 | 245 | Plant filing fee | |
| 108 | 710 | 208 | 355 | Reissue filing fee | |
| 114 | 150 | 214 | 75 | Provisional filing fee | |

SUBTOTAL (1)

(\$) 345

2. EXTRA CLAIM FEES

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|-----------------------|-----------------|-------------------|-------------|
| 53 | -20** = 33 | X 9 | = 297 |
| Independent Claims | 25 | -3** = 22 | X 39 = 858 |
| Multiple Dependent | | X | = 0 |

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description |
|----------------------|-----------------------|----------------------|-----------------------|--|
| 103 | 18 | 203 | 9 | Claims in excess of 20 |
| 102 | 80 | 202 | 40 | Independent claims in excess of 3 |
| 104 | 270 | 204 | 135 | Multiple dependent claim, if not paid |
| 109 | 80 | 209 | 40 | ** Reissue independent claims over original patent |
| 110 | 18 | 210 | 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2)

(\$) 1155

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
|----------------------|-----------------------|----------------------|-----------------------|--|-------------|
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | 65 |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet. | |
| 139 | 130 | 139 | 130 | Non-English specification | |
| 147 | 2,520 | 147 | 2,520 | For filing a request for reexamination | |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | 55 | Extension for reply within first month | |
| 116 | 390 | 216 | 195 | Extension for reply within second month | |
| 117 | 890 | 217 | 445 | Extension for reply within third month | |
| 118 | 1,390 | 218 | 695 | Extension for reply within fourth month | |
| 128 | 1,890 | 228 | 945 | Extension for reply within fifth month | |
| 119 | 310 | 219 | 155 | Notice of Appeal | |
| 120 | 310 | 220 | 155 | Filing a brief in support of an appeal | |
| 121 | 270 | 221 | 135 | Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 | Petition to revive - unavoidable | |
| 141 | 1,240 | 241 | 620 | Petition to revive - unintentional | |
| 142 | 1,240 | 242 | 620 | Utility issue fee (or reissue) | |
| 143 | 440 | 243 | 220 | Design issue fee | |
| 144 | 600 | 244 | 300 | Plant issue fee | |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner | |
| 123 | 50 | 123 | 50 | Petitions related to provisional applications | |
| 126 | 240 | 126 | 240 | Submission of Information Disclosure Stmt | |
| 581 | 40 | 581 | 40 | Recording each patent assignment per property (times number of properties) | |
| 146 | 710 | 246 | 355 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 | 710 | 249 | 355 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 | 710 | 279 | 355 | Request for Continued Examination (RCE) | |
| 169 | 900 | 169 | 900 | Request for expedited examination of a design application | |

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$) 65

SUBMITTED BY

Complete (if applicable)

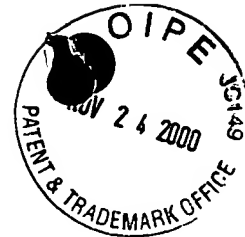
| | | | | | |
|-------------------|---------------|----------------------------------|--------|-----------|-------------------|
| Name (Print/Type) | John E. Hyatt | Registration No. Attorney/Agent) | 43,421 | Telephone | (312) 715-4544 |
| Signature | | | | Date | November 20, 2000 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLAIMS | IND CLAIMS |
|--------------------|-------------|--------------|---------------|-----------------|----------|------------|------------|
| 09/615,473 | 07/13/2000 | 2735 | 0 | 81230.56US1 | 19 | 52 53 | 25 |

Mark R Galis
Alzheimer & Gray
Suite 4000
10 South Wacker Drive
Chicago, IL 60606-7482

**RECEIVED
DOCKET**

NOV 06 2000

ALTHEIMER & GRAY

By: DKIO/te

FILING RECEIPT



OC00000005505635

Date Mailed: 10/26/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Marcus Escobosa, Placentia, CA ;
Patrick H. Hayes, Mission Viejo, CA ;
James N. Conway JR., Corona Del Mar, CA ;

Continuing Data as Claimed by Applicant

Foreign Applications

If Required, Foreign Filing License Granted 08/29/2000

Title

Customizable and upgradable devices and methods related thereto

Preliminary Class

340

Data entry by : LE, HANH

Team : OIPE

Date: 10/26/2000





UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/615,473 | 07/13/2000 | Marcus Escobosa | 81230.56US1 |

Mark R Galis
Alzheimer & Gray
Suite 4000
10 South Wacker Drive
Chicago, IL 60606-7482

FORMALITIES LETTER



OC000000005505636

Date Mailed: 10/26/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$2292.
 - \$576 for 32 total claims over 20.
 - \$1716 for 22 independent claims over 3.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 3112.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE